

REMARKS

Applicants thank Examiner Ackun for the analysis contained in the Office Action dated May 28, 2008, and for the opportunity to respond to the Examiner's concerns. Claims 1-17 have been canceled without prejudice, thus rendering moot the rejection of the same. Claim 18 has been amended and new Claim 19 has been added. Claims 18 and 19 are thus pending in the present application.

Claim Rejection Under 35 U.S.C. § 112

Claim 18 currently stands rejected under 35 U.S.C. § 112 as being indefinite.

In the Office Action, the Examiner alleged that the structure corresponding to the claimed securing means in the specification cannot be determined. Applicants respectfully refer the Examiner to, for example, FIGURE 1, where securing means are shown that secure each of the opposed ends of the fork lift tine receiving members 22 to the bulk bag 12, thereby limiting movement of the fork lift tine receiving members 12 in relation to the bottom of the bulk bag 12. See also the description at page 4, line 31, to page 5, line 10.

The Examiner further alleged there is no antecedent for any specific number of securing means. Applicants have generalized the language to refer to "at least one of the securing means" instead of "one securing means."

Furthermore, the Examiner alleged that the means for attaching ties could not be determined. Applicants have amended the claim to refer to "ties attached to" instead of "means for attaching ties."

In view of the foregoing, applicants respectfully request withdrawal of the claim rejection under Section 112.

Claim Rejections Under 35 U.S.C. § 102 or § 103

Claims 1-8 currently stand rejected under 35 U.S.C. § 102(b or e) as being anticipated by, or in the alternative under 35 U.S.C. § 103(a) as being obvious over, DE 9416379, Jardine (U.S. Patent

No. 6390675), Davies (U.S. Patent No. 6540085), Baker et al. (U.S. Patent No. 7025208), and/or Schnaars Jr. et al. (U.S. Patent No. 6926144).

As noted above, applicants have canceled Claims 1-17 and will focus arguments on amended Claim 18 and new Claim 19. In particular, applicants' arguments will focus upon the slots defined on top of each of the opposed fork lift tine receiving members.

Jardine teaches tubular members 4 that are positioned along the top of a bulk bag 2. Lifting loops 26 are provided and are disposed within slots 24. As pointed out by the Examiner, Jardine has slots on top. If Jardine were flipped over, it could be secured to the bottom of the bag. However, it is unclear to applicants how one would secure Jardine to the bottom of the bag in its current orientation. The Examiner is directed to what is illustrated in Figs. 3 and 4 of the present application. The present invention discloses a pair of slots 30. The fork tine receiving member is secured to the bottom of a bulk bag by threading a tie through the slots. This is not possible with Jardine, as Jardine has a single slot. The other cited references do not cure this deficiency.

Applicants have endeavored to emphasize this difference in the amendments to Claim 18. Applicants have also introduced new Claim 19, which recites a rigid fork lift tine receiving member with such slots. The above discussed difference defines the present claims over all of the cited art.

In view of the foregoing amendments, it is respectfully submitted that the present application is in a condition for allowance. Applicants therefore request the early issue of a Notice of Allowance.

Respectfully submitted,

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